

EXHIBIT 12

PUBLIC VERSION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

THE CALIFORNIA INSTITUTE OF)
TECHNOLOGY,)
Plaintiff,)
vs.) Case No.
2:16-cv-3714-GW-AGRx
BROADCOM LIMITED, BROADCOM)
CORPORATION, AVAGO TECHNOLOGIES)
LIMITED, APPLE INC., AND CYPRESS)
SEMICONDUCTOR CORPORATION,)
Defendants.)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF [REDACTED]
Palo Alto, California
Wednesday, November 15, 2017

Reported by: JANIS JENNINGS, CSR, CLR, CCRR
Job No. 2755400

1 A. Correct. 09:24

2 Q. Where is that located? 09:24

3 A. Sunnyvale. 09:24

4 Q. What is your position at Broadcom Limited? 09:24

5 A. My current position is General Manager of 09:24

6 Wireless Connectivity Communication, Business Unit. 09:24

7 Q. Does Broadcom sometimes call the Wireless 09:24

8 Connectivity Communication Business Unit the WCC 09:24

9 Business Unit? 09:24

10 A. Yes. 09:24

11 Q. How long have you held your current 09:24

12 position? 09:25

13 A. Just approximately a month. 09:25

14 Q. And what was your position prior to your 09:25

15 current position? 09:25

16 A. Vice President of Engineering in WCC. 09:25

17 Q. And how long were you Vice President of 09:25

18 Engineering of WCC? 09:25

19 A. Since February 1st, I believe, 2016. 09:25

20 Q. And do you recall your position prior to 09:25

21 that? 09:25

22 A. Yes. It was Senior Vice President of 09:25

23 Engineering. 09:25

24 Q. And how long were you Senior Vice President 09:25

25 of Engineering? 09:26

1 Broadcom direct customer, and [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 09:52
3 BY MR. BRIGGS: 09:52
4 Q. Who is the [REDACTED] 09:52
5 A. If I recall correctly the latest marketing 09:52
6 information, that would be [REDACTED]. 09:52
7 Q. Would you agree with me that over the past, 09:52
8 I guess, four or five years that [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 09:52
10 MR. HAWKINSON: Objection. 09:52
11 THE WITNESS: I can't really say. 09:52
12 BY MR. BRIGGS: 09:52
13 Q. Have you seen any reports that show 09:52
14 that [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 09:52
16 A. By "report" -- what do you mean by "report"? 09:53
17 Q. Any type of written document created by 09:53
18 Broadcom. 09:53
19 A. By Broadcom. Yeah, I'm pretty sure that 09:53
20 I've seen documents created by Broadcom. 09:53
21 Q. And those documents show that [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] correct? 09:53
24 MR. HAWKINSON: Objection. 09:53
25 THE WITNESS: I've seen reports where [REDACTED] 09:53

1 [REDACTED] [REDACTED]
2 [REDACTED] 09:53
3 BY MR. BRIGGS: 09:53
4 Q. Are you familiar with a document called a 09:54
5 10-K? 09:54
6 A. I know that such document exists. I'm not 09:54
7 familiar with what's in it. 09:54
8 Q. Have you ever looked at a Broadcom 10-K? 09:54
9 A. I'm sure I had, but not lately. 09:54
10 Q. Do you know what the purpose of a 10-K is? 09:54
11 A. As far as I remember, it's a financial 09:54
12 disclosure. 09:54
13 Q. It's something that Broadcom submits to the 09:54
14 Securities and Exchange Commission; correct? 09:54
15 A. I don't know. 09:54
16 Q. Have you ever been involved in providing 09:54
17 information that goes into a 10-K? 09:54
18 A. No. 09:54
19 Q. Have you ever signed off on a 10-K? 09:54
20 A. No. 09:55
21 Q. Okay. Do you know who has the 09:55
22 responsibility for signing off on 10-Ks at Broadcom? 09:55
23 A. I don't know. 09:55
24 Q. Would you expect that the information that's 09:55
25 included in a 10-K by Broadcom is truthful? 09:55

1 again?

2 BY MR. BRIGGS:

3 Q. The fourth bullet states, [REDACTED]

4 [REDACTED]
5 [REDACTED] right?

11:47

6 A. That's what I believe too.

11:47

7 Q. And do you know -- do you know what that
8 means, [REDACTED] [REDACTED]

11:47

9 [REDACTED]
10 [REDACTED]

11:47

11 MR. HAWKINSON: Objection.

11:47

12 THE WITNESS: I don't really know what it
13 was meant. I was not paying attention to P&L at
14 that time.

11:47

11:47

11:47

15 BY MR. BRIGGS:

11:47

16 Q. The next three slides on that same page --
17 or, I'm sorry.

11:47

11:47

18 The next three bullets on that same page are 11:47

19 [REDACTED]
20 [REDACTED]

11:47

21 Do you know what that means?

11:47

22 A. I would have to speculate beyond what's
23 stated here.

11:47

11:48

24 Q. You'll at least agree that it indicates that 11:48

25 [REDACTED]

11:48

1 [REDACTED] 11:48

2 A. That's what it says. I can't really attest 11:48

3 to the accuracy of this statement, but that's what 11:48

4 it says. 11:48

5 Q. All right. If we turn to the slide 650930, 11:48

6 which I believe you mentioned earlier that you 11:48

7 prepared. 11:49

8 A. Yes. 11:49

9 Q. And if we look at the sixth bullet down, the 11:49

10 bullet states: 11:49

11 [REDACTED] [REDACTED]

12 [REDACTED] 11:49

13 What did you mean by that? 11:49

14 A. [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED]. 11:49

19 Q. Now, if you turn to page 650940. It's a 11:49

20 slide titled [REDACTED] 11:50

21 A. Uh-huh. 11:50

22 Q. And the second bullet states: 11:50

23 [REDACTED] [REDACTED]

24 [REDACTED] 11:50

25 Why was it important to maintain 11:50

1
2
3 I, JANIS JENNINGS, CSR No. 3942, Certified
4 Shorthand Reporter, certify:

5 That the foregoing proceedings were taken
6 before me at the time and place therein set forth, at
7 which time the witness was duly sworn by me;

8 That the testimony of the witness, the
9 questions propounded, and all objections and statements
10 made at the time of the examination were recorded
11 stenographically by me and were thereafter transcribed;

12 That the foregoing pages contain a full, true
13 and accurate record of all proceedings and testimony.

14 Pursuant to F.R.C.P. 30(e)(2) before
15 completion of the proceedings, review of the transcript
16 [X] was [] was not requested.

17 I further certify that I am not a relative or
18 employee of any attorney of the parties, nor financially
19 interested in the action.

20 I declare under penalty of perjury under the
21 laws of California that the foregoing is true and
22 correct.

23 Dated 12/05/2017

24 

JANIS JENNINGS, CSR NO. 3942

25 CLR, CCRR